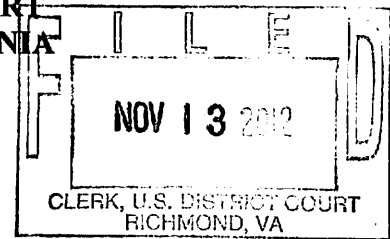


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



ROBERT COVINGTON, JR.,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

CIVIL NO. 3:12cv209-JRS

**FINAL ORDER**


This matter is before the Court on the Report and Recommendation of the Magistrate Judge (R&R) entered on October 26, 2012 (ECF No. 13). The time to file objections has expired and neither party has objected to the R&R. Having considered the matter and deeming it otherwise proper and just to do so, it is hereby ORDERED:

- (1) The Report and Recommendation (ECF No. 13) is ADOPTED as the opinion of this Court.
- (2) Defendant's Motion for Summary Judgment (ECF No. 11) is DENIED.
- (3) Plaintiff's Motion for Summary Judgment (ECF No. 8) is GRANTED.
- (4) The final decision of the Commissioner is VACATED and REMANDED to the ALJ for the sole purpose of obtaining VE testimony, as explained in the R&R.
- (5) This case is CLOSED.

Let the Clerk of the Court send a copy of this Final Order to Plaintiff and all counsel of record.

It is so ORDERED.

Richmond, Virginia  
Date: 11/13/12

/s/   
John A. Gibney, Jr.  
United States District Judge